

1 in the reasonably foreseeable future.” *Zadvydas v. Davis*, 533 U.S. 678, 701 (2001). 8 U.S.C.
2 § 1231(a)(1)(C) also permits continued detention when an alien fails or refuses to cooperate
3 in good faith with completing applications for travel or other documents necessary to effect
4 his removal. Admittedly, Petitioner falls into this category. More perplexing however is the
5 Petitioner’s refusal to sign two release orders that have been offered to him over the past
6 several years. In March 2007, Petitioner was offered release under an order of supervision
7 that he refused to sign. In May 2009 after filing his habeas petition Petitioner was again
8 offered release under an order of supervision and he refused to sign again. Under these
9 circumstances Petitioner cannot claim that his continued detention is unreasonable or that he
10 is entitled to habeas relief. The Court agrees with the Magistrate Judge that Petitioner’s
11 continued detention is a direct result of his long-standing failure to cooperate with or assist
12 in his removal or to sign the necessary documents to be released under supervision until such
13 time as his removal can be effected.

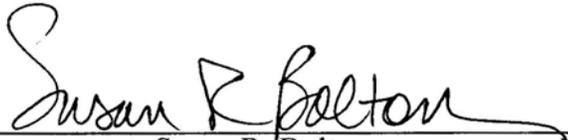
14 IT IS ORDERED overruling Petitioner’s objection to the Report and
15 Recommendation.

16 IT IS FURTHER ORDERED adopting the Report and Recommendation of the
17 Magistrate Judge as the order of this Court.

18 IT IS FURTHER ORDERED that Petitioner’s Petition for Writ of Habeas Corpus is
19 denied and dismissed with prejudice.

20 IT IS FURTHER ORDERED that a certificate of appealability and leave to proceed
21 in forma pauperis on appeal is denied because Petitioner has not made substantial showing
22 of the denial of a constitutional right.

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24 DATED this 17th day of June, 2010.

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Susan R. Bolton
United States District Judge